

**From:** Mike Schuh  
**To:** Microsoft ATR  
**Date:** 1/29/02 2:22am  
**Subject:** Microsoft Settlement

Greetings:

I wish to comment on proposed settlement in U.S. et al v. Microsoft.

I strongly believe that Microsoft should be penalized for their injurious use of their monopoly in desktop operating systems. However, I do not think that their proposal to give computers and software (theirs, of course) to "impoverished" schools is acceptable. It would be like allowing a fox, convicted of raiding a chicken coop, to stand guard over the coop as punishment... One should be cautious of the remedies proposed by those who must fulfill those remedies ("please don't throw me in the briar patch" comes quickly to mind, albeit in a slightly different context). The basic problem with the proposal is that it helps to perpetuate Microsoft's illegal monopolistic practices! In a few years, when the schools have to upgrade (because Microsoft will have rendered the "free" software obsolete), they'll have to buy from Microsoft.

Here's a better idea, and one that I support:

[http://www.redhat.com/about/presscenter/2001/press\\_usschools.html](http://www.redhat.com/about/presscenter/2001/press_usschools.html)

Among other things, the "retail" value of Microsoft software is, to Microsoft, approximately zero, so the proposal really isn't much of a penalty.

An alternative is for Microsoft to sell off (and forever stay out) their applications software, then reimbursing everyone who has ever purchased software from them with the proceeds (that is, they don't get to keep the proceeds from the sale, that being their penalty). Kind of like a giant class action law suit.

If we don't punish the guilty in a manner that truly is punishing, then there is no disincentive for them (or anyone else) to go and just repeat their behavior. In fact, Microsoft has already done this!

Thank you.

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